

**REMARKS**

Claims 1-6, 9, 11-31, 34-38, 50, 55, 60, and 83-86 are currently pending with claim 55 having been withdrawn from further consideration. No new claims have been added, claims 83-86 have been canceled without prejudice, and claims 1 and 23 have been amended herein to define Applicants' invention with greater particularity. Support for the amended claims may be found, among others, in the specification at page 5, lines 23-27. No new matter has been added with the Amendments, being fully supported by the specification and claims as originally filed. Upon entry of this communication, claims 1-6, 9, 11-31, 34-38, 50, and 60 will be under consideration.

**Rejection under 35 U.S.C. § 112, First Paragraph**

Applicants respectfully traverse the rejection of claims 1-6, 9, 11-15, 17-22, 38 and 83-86 under 35 U.S.C. § 112, first paragraph, as allegedly failing to enable one of skill in the art to make and use the invention commensurate in scope with the claims. Specifically, the Examiner alleges that the specification does not provide an enabling disclosure for the instant claims wherein the three domains are encoded by more than one nucleic acid molecule. Applicants have canceled claims 83-86, rendering the rejection moot as to those claims. In order to limit the issues and further prosecution, Applicants have amended claims 1 and 38 to limit the pending claims to "a polynucleotide molecule", as suggested by the Examiner, and preserve the right to pursue all canceled subject matter in a continuing application. Accordingly, Applicants respectfully request withdrawal of the rejection.

Therefore, for the reasons set forth above, it is respectfully submitted that claims 1-6, 9, 11-15, 17-22, and 38 satisfy the enablement and the written description requirements under 35 U.S.C. § 112, first paragraph, and withdrawal of the rejection is respectfully requested.

In re Application of:  
Stack et al.  
Application No.: 09/498,098  
Filed: February 4, 2000  
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PATENT  
Attorney Docket No.: VERT1330 (FORMERLY AURO1330)

**CONCLUSION**

In summary, for the reasons set forth herein, Applicants maintain that claims 1-6, 9, 11-31, 34-38, 50, 60, and 83-86 clearly and patentably define the invention and respectfully request that the Examiner withdraw all rejections and pass the application to allowance. If the Examiner would like to discuss any of the issues raised in the Office Action, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

No fee is believed to be due in connection with filing this paper. However, the Commissioner is hereby authorized to charge any fees that may be required by this paper, or credit any overpayment to Deposit Account 07-1896 referencing the above-identified attorney docket number. A duplicate copy of the Transmittal Sheet is enclosed..

Respectfully submitted,

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